IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

REVIEW PETITION NO.35 OF 2006

IN

NOTICE OF MOTION NO.1245 OF 2006

IN

SUIT NO.2531 OF 1992

Maheshchandra H. Dalal ...Petitioner

v/s

Bankim P. Dalal and ors. ...Respondents

Mr J. Shekhar i/b M/s J. Shekhar and Co. for Petitioner.

Mr R. Jain i/b M/s Mehta and Girdharlal for Respondents.

CORAM : D.K. DESHMUKH J.

DATE : 19TH OCTOBER 2007.

P.C. :-

1. This review petition is taken out by the original defendant No.2 for review of the order dated 24th August 2006. Perusal of that order shows that one of the reasons given by the Court for making that order is no objection given by the defendant No.2. That no objection is contained in the affidavit dated 21st June 2005 filed in notice of motion No.1245 of 2005. It is admitted position that after the affidavit dated 21st June 2005 giving no objection was filed and the date on which, relying on that no objection the Court passed the order i.e. 24th August 2006, he defendant No.2 had not withdrawn that no objection. It is thus clear that the order passed by this Court in so far as defendant No.2 is concerned, is a consent order, therefore it cannot be reviewed. Review petition is disposed off.

. Parties to act on the copy of this order duly authenticated by the Associate / Private Secretary as true copy.

. Certified copy expedited.

(D.K. DESHMUKH J.)

(J.H. BHATIA J.)